

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Ariadna Fernandez Donis, Ernest Giralt Lledó, Carolina Gracia Cantador, Pilar López Rodríguez, Sonia Varon Colomer, Carmen Cuevas Marchante, Ángel López Macia, Andrés Francesch Solloso, José-Carlos Jiménez Garcia, Miriam Royo Expósito, and Fernando Albericio Palomera

Group Art Unit: TBA

Serial No.: TBA

Examiner: TBA

Filed: HEREWITH

For: NEW ANTITUMORAL COMPOUNDS

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attn: DO/EO/US

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:
2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3. ☐ Any copy of the items listed on the enclosed copy of Forms PTO-1449A and PTO-1449B that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_.

4. ☒ **No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:**

☒ **37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits.**

5. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.

6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):

A check in the amount of \$180.00 is enclosed in payment of the fee.

Charge the fee to Deposit Account No. 13-4500, Order No. \_\_\_\_\_. A  
DUPLICATE COPY OF THIS SHEET IS ATTACHED.

7. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:

- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
- b. the fee due under 37 C.F.R. §1.17(p) which is paid as set forth in paragraph 11 below.

8. ☐ This Information Disclosure Statement is being filed in compliance with:

- a. 37 C.F.R. §1.313(b)(3) or §1.313(c)(1), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h);
- b. 37 C.F.R. §1.313(c)(2) or §1.313(c)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Request for Continued Examination (RCE) or a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h).

- c. The fee due under 37 C.F.R. §§1.17(h) is paid as set forth in paragraph 11 below.

IAP20 Rec'd PCT/PTO 06 MAR 2006

9. ☐ I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

10. ☒ This document is accompanied by ☒ a Search Report ☐ Communication which was cited in a corresponding ☒ PCT or ☐ Foreign counterpart application

11. ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed in payment of the fees due under 37 C.F.R. §§1.17(h) and 1.17(p).

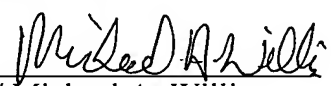
Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. 13-4500, Order No. \_\_\_\_\_. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4126-4037.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: March 6, 2006

By: \_\_\_\_\_

  
Kenneth H. Sonnenfeld // Michael A. Willis  
Registration No. 33,285 // 53,913

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|---|---|------------------------|
| <b>FORM PTO-1449A</b><br><br><b>INFORMATION DISCLOSURE CITATION</b> | Attorney Docket:<br>4126-4037   | Serial No.:<br>TBA     |
|   | Applicant:<br>Ariadna Fernandez Donis, Ernest Giralt Lledó, Carolina Gracia Cantador,<br>Pilar López Rodríguez, Sonia Varon Colomer, Carmen Cuevas<br>Marchante, Ángel López Macia, Andrés Francesch Solloso, José-Carlos<br>Jiménez Garcia, Miriam Royo Expósito, and Fernando Albericio<br>Palomera |                        |
|   | Filing Date:<br>Herewith  | Group Art Unit:<br>TBA |
|   |   |                        |

**U.S. PATENT / PUBLICATION DOCUMENTS**

| Examiner Initial | Patent/Publication Number | Publication/Issue Date | Name | Filing Date |
|------------------|---------------------------|------------------------|------|-------------|
|                  |                           |                        |      |             |
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**FOREIGN PATENT DOCUMENTS**

| Examiner Initial | Patent Number        | Publication Date | Country | Copy Filed                   | Translation  |
|------------------|----------------------|------------------|---------|------------------------------|--|
|                  | 1. WO 01/58934 A2    | 16 Aug. 2001     | PCT     | <input type="checkbox"/> Yes | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input checked="" type="checkbox"/> N/A |
|                  | 2. WO 03/033012 A1   | 24 Apr. 2003     | PCT     | <input type="checkbox"/> Yes | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input checked="" type="checkbox"/> N/A |
|                  | 3. WO 2004/035613 A2 | 29 Apr. 2004     | PCT     | <input type="checkbox"/> Yes | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input checked="" type="checkbox"/> N/A |
|                  | 4.                   |                  |         | <input type="checkbox"/> Yes | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A            |
|                  | 5.                   |                  |         | <input type="checkbox"/> Yes | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A            |
|                  | 6.                   |                  |         | <input type="checkbox"/> Yes | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A            |

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|--|-----------------|
| Examiner   | Date Considered |
| <b>EXAMINER:</b> Initial if reference considered, whether or not citation is in conformance with MPEP §609.<br>Draw line through citation if not in conformance and not considered.<br>Include copy of this form with next communication to Applicant. |                 |

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| <p align="center"><b>FORM PTO-1449B</b></p> <p align="center"><b>INFORMATION DISCLOSURE</b></p> <p align="center"><b>CITATION</b></p> | <p>Attorney Docket:<br/>4126-4037</p>   | <p>Serial No.: <b>10/570734</b><br/>TBA</p> |
|   | <p>Applicant:<br/>Ariadna Fernandez Donis, Ernest Giralt Lledó, Carolina Gracia Cantador, Pilar López Rodríguez, Sonia Varon Colomer, Carmen Cuevas Marchante, Ángel López Macia, Andrés Francesch Solloso, José-Carlos Jiménez Garcia, Miriam Royo Expósito, and Fernando Albericio Palomera</p> |   |
|   | <p>Filing Date:<br/>Herewith</p>  | <p>Group Art Unit:<br/>TBA</p>              |

**NON PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |
|--------------------|-----------------------|---|
|                    | 1.                    | Hamann et al., "Kahalalides: Bioactive Peptides From A Marine Mollusk <i>Elysia Rufescens</i> And Its Algal Diet Bryopsis sp.," <u>J. Org. Chem.</u> , Vol. 61, pgs. 6594-6600, 1996.   |
|                    | 2.                    | López-Macià et al., "Synthesis And Structure Determination Of Kahalalide F," <u>J. Am. Chem. Soc.</u> , Vol. 123, No. 46, pgs. 11398-11401, 2001.   |
|                    | 3.                    |   |
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| Examiner Signature | Date Considered |
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.